

REMARKS

This Amendment is filed in response to the Office Action mailed April 27, 2006.
All objections and rejections are respectfully traversed.

Claims 1-7, 8, 19-24, 26-32, 34, 51-56, 58, 69, 73, 75-79 are pending in the case.

Claims 1, 5, 6, 8, 23, 26, 31, 32, 34, 51, 70 have been amended to better claim the invention.

No Claims have been added.

Request for Interview

Should the Examiner believe the case is not in condition for allowance, the Applicant respectfully requests a telephonic interview to advance the prosecution. The Applicant believes an interview will be most productive after the Examiner has had an opportunity to review this Amendment, but prior to the issue of the next Office Action. As the Applicant can not determine when the Examiner will have time to consider this Amendment, given PTO workload, the Applicant respectfully requests the Examiner contact the Applicant at 617-951-2500 when he reviews this Amendment so that a mutually convenient time for interview may be arranged.

Response to Restriction Requirement

In the Office Action, the Examiner restricts the claims into three groups as follows:

- Group I: claims 1-8, 19-34, 51-58, 69, 73, and 75-79
- Group II: claims 9-18, 67, 68, 71 and 80-83
- Group III: claims 35-50, 59-66, 70, and 74

The Applicant elects Group I without traverse, and has cancelled the claims included in the other groups. The Applicant reserves the right to file Divisional Applications directed to such claims at a later time.

Claim Rejections

While the Applicant refers the Examiner to the Previous Amendment, filed February 16, 2006, for arguments concerning the prior art, and believes that many aspects of these prior arguments are still applicable, since the claims have been amended herein, the Applicant presents further arguments for patentability below.

At page 6 of the Office Action of Nov. 16, 2005, claims 1-3, 7-10, and 14-16 were rejected as obvious over Adwadallah et al., U.S. Patent No. 6,449,251 (hereinafter Adwadallah) in view of Primak et al., U.S. Patent No. 6, 598,077 (hereinafter Primak).

The Applicant's claim 1, representative in part of the other rejected claims, sets forth:

1. An intermediate network device for use in a computer network carrying network traffic corresponding to sessions, the intermediate network device comprising:

a traffic scheduler having one or more resources for use in forwarding network traffic received at the device at different rates;
a classification engine configured to identify the received network traffic based upon predefined criteria;
a resource reservation engine in communicating relationship with the traffic scheduler and the classification engine;

a receiver arranged to receive a first request from a first sourcing entity for a first session to a first receiving entity, wherein the first session is assigned a session group identifier (ID), the receiver further arranged to receive a second request from the first sourcing entity for a second session to a second receiving entity, wherein the second request is assigned a second group identifier (ID); and

wherein, in response to the requests to reserve resources, the resource reservation engine determines whether the session group ID of the first session matches the session group ID of the second session and, if so, directs the traffic scheduler to share resources that are reserved for the second session with the first session.

Adwadallah discloses a method of providing Quality of Service (QoS) over a computer network. Packet traffic is classified into several different types or flows. *See* col. 3, lines 25-40. Packets corresponding to video and voice are treated as high priority traffic and directed to high priority queues that support QoS. *See* col. 7, lines 32-46.

Primak discloses a technique for directing a request from a client (Fig. 1, 60) via a content router to an appropriate application server (Fig 1, 20, 30) that accesses data from a database (Fig 1, 40) and responds the request, for example by serving a web page with information specific to the client. An exchange between the client and an application server is referred to as a “session,” and each session is assigned by the content router a session ID. *See* col. 6, lines 9-11 and col. 8, lines 25-27. “Thereafter every client request from the client 60 includes the session ID.” *See* col. 6, lines 12-15 and col. 8, lines 27-28. The session ID is also stored in the content router. *See* col. 6, lines 14-15. When a request is received, the content router checks “if a session already exists between the client and one of the application servers” and if so “the dynamic content router routes all request to such application server.” *See* col. 3, lines 1-5. That is, “if the session ID of the request matches the session ID in one of the session records stored in the session table, the dynamic content router...[routes]...the request to the application server associated with the session ID.” *See* col. 8, lines 43-47.

Indeed, the Examiner appears to agree with this interpretation of Primak, as the Examiner states in the Office Action of Nov. 16, 2005 at page 18 “[i]f the second request’s session ID matches the first session’s ID, the request is routed to the same application server serving the first request. Because there are two requests being served by the same server, the sharing or resources (namely, the sharing of the server is taking place....”

In contrast to the combination of Adwadallah and Primak, the Applicant claims “*a receiver arranged to receive a first request from a first sourcing entity for a first session to a first receiving entity, wherein the first session is assigned a session group identifier (ID), the receiver further arranged to receive a second request from the first*

sourcing entity for a second session to a second receiving entity, wherein the second request is assigned a second group identifier (ID)” and “if so, directs the traffic scheduler to share resources that are reserved for the second session with the first session.”

Specifically, the Applicant's claims a request for a *first session* to a *first receiving entity* and a request for a *second session* to a different *second receiving entity*. By way of background, the Applicant shows an example of this in Fig. 1 of the Application where a first receiving entity (104) and a different exemplary second receiving entities (106) are shown.¹ The claimed first and second receiving entity are far different from the combination of Adwadallah and Primak which suggests that requests from the **same** client are directed to the **same** application server. Indeed, the Examiner acknowledges that Primak teaches a configuration where requests from one client are routed to one of the servers, stating a page 18 of the Office Action of Nov 16, 2005 that “because there are two requests being served by the same server....sharing of the server is taking place....”

Given the differences in the Applicant's claimed configuration and that of Primak, the Applicant claims a far different type of sharing. When the Applicant claims that the resource reservation engine “*directs the traffic scheduler to share resources that are reserved for the second session with the first session*” resources used in connection with two different receiving entities are shared. The combination of Primak and Adwadallah provides no suggestion on how one would share resources between sessions with different servers or with different clients.

Accordingly, the Applicant respectfully urges that the combination of Adwadallah and Primak is legally insufficient to make obvious the present claims under 35 U.S.C. §103 because of the absence of the Applicant's claimed novel “*a receiver arranged to receive a first request from a first sourcing entity for a first session to a first receiving entity, wherein the first session is assigned a session group identifier (ID), the receiver further arranged to receive a second request from the first sourcing entity for a second session to a second receiving entity, wherein the second request is assigned a second*

group identifier (ID)” and “if so, directs the traffic scheduler to share resources that are reserved for the second session with the first session.”

At page 11 of the Office Action of Nov. 16, 2005, claims 4-6, 11-13, 17, and 18 were rejected as obvious over Adwadallah and Primak in further view of Chiu et al., U.S. Patent 6,744,767 (hereinafter Chiu).

The Applicant respectfully urges that these rejected claims have either been cancelled or are dependent claims that depended from an independent claim believed to be allowable. Accordingly, the dependent claims are also believed to be allowable.

At page 14 of the Office Action of Nov. 16, 2005, claims 19-21, 25, 27-29, 33, 25-37, 41, 43-45, 49, 51-53, 57, 59-61, 65, and 67-74 were rejected as obvious over Primak in view of Lambert, U.S. Patent 6,363,478 (hereinafter Lambert).

The Applicant's claim 19, representative in part of the other rejected claims, sets forth:

19. A method for reserving resources by a network device for transmission of messages through a computer network comprising:
receiving ***a first request from a sourcing entity for initiating a first session to a first receiving entity by the network device;***
identifying the first session by writing a session group identifier (session ID) into packets of the first session;
receiving ***a second request from the sourcing entity for initiating a second session to a second receiving entity for initiating a second session using the session ID of the first session;*** and
transmitting a setup message ***to enable other network devices to share resources between the first session and the second session*** in response to both the first and second sessions having the same session ID.

Lambert discloses a method for negotiating and establishing a session between a client and server in a stateless HTTP environment, the session requiring specific security

¹ The Applicant defines “entity” at page 1, lines 8-10 of the Specification as “[a]n entity may consist of any device, such as a computer or end station, that “sources” (i.e., transmits) or “sinks” (i.e., receives) data-grams (e.g., packets and/or frames).” Such definition supports the Applicant's arguments presented herein.

and compression resources to enable a quality of service. *See* col. 3, lines 36-65. The requests transmitted in this environment must contain a session ID. Receiving a request without a session ID indicates the request is the first communication of a session. In this case, a new session is instantiated with a new session ID, and the session ID will be included in subsequent communication between the client and server. *See* col. 3, lines 48-52 and col. 4, 27-34. A second session can be negotiated and established between the **same** client and server, the second session possessing a new session ID, providing a second quality of service, and carrying on communication independently from the first session. *See* col. 4, line 58 to col. 5, line 5.

The Applicant respectfully urges that the combination of Primak and Lambert is silent concerning the Applicant's claimed *"a first request from a sourcing entity for initiating a first session to a first receiving entity by the network device"* and *"a second request from the sourcing entity for initiating a second session to a second receiving entity for initiating a second session using the session ID of the first session"* and *"to enable other network devices to share resources between the first session and the second session."*

As described above, Primak simply directs requests from the **same** client to the **same** application server, and is silent concerning sharing resources between sessions from a sourcing entity to at least two **different** receiving entities, as claimed by the Applicant. Lambert similarly lacks any suggestion of these aspects of the Applicant's claims. Lambert describes that a second session can be negotiated and established between the **same** client and the **same** server, and each session may have its own Quality of Service. *See* col. 4, line 58 to col. 5, line 5. Yet, there is no mention in Lambert of having sessions to different servers and sharing resources there between.

Accordingly, the Applicant respectfully urges that the combination of Primak and Lambert is legally insufficient to make obvious the present claims under 35 U.S.C. §103 because of the absence of the Applicant's claimed novel *"a first request from a sourcing entity for initiating a first session to a first receiving entity by the network device"* and

“a second request from the sourcing entity for initiating a second session to a second receiving entity for initiating a second session using the session ID of the first session” and “to enable other network devices to share resources between the first session and the second session.”

At page 16 of the Office Action of Nov. 16, 2005, claims 22-24, 26, 30-32, 34, 38-40, 42, 46-48, 50, 54-56, 58, 62-64 and 66 were rejected as obvious over Primak and Lambert in further view of “Resource Reservation Protocol”

The Applicant respectfully urges that these rejected claims have either been cancelled or are dependent claims that depended from an independent claim believed to be allowable. Accordingly, the dependent claims are also believed to be allowable.

At page 2 of the Office Action of Nov. 16, 2005, claims 75-83 were rejected as anticipated by Primak.

The Applicant respectfully urges that in light of the discussions and arguments above related to Primak, these claims also are allowable for the same reasons discussed above.

In the event that the Examiner deems personal contact desirable in disposition of this case, the Examiner is encouraged to call the undersigned attorney at (617) 951-2500.

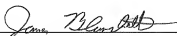
All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims.

The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account
No. 03-1237.

Respectfully submitted,



James A. Blanchette
Reg. No. 51,477
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500